

Title 19 – DEPARTMENT OF HEALTH and SENIOR SERVICES

Division 30 – Division of Regulation and Licensure

Chapter 61 – Licensing Rules for Family Child Care Homes

PROPOSED AMENDMENT

19 CSR 30-61.095 Furniture, Equipment and Materials. The department is amending subsection (1)(B).

PURPOSE: This amendment updates the rule to reflect new federal safety guidelines for cribs, and adds language to implement safe sleep recommendations from the American Academy of Pediatrics (AAP) as required by Section 210.223, RSMo.

(1) Indoor Furniture and Equipment.

(B) Sleeping Equipment.

1. General requirements.

A. A cot, bed, sofa, padded playpen or crib [*with an individually assigned sheet and blanket*] shall be provided for each child who naps or sleeps. **An individually assigned sheet and blanket shall be provided for each child twelve (12) months and older who naps or sleeps.** Upper levels of bunk beds shall not be used.

B. If family beds are used for napping or sleeping, a clean sheet shall be spread over the family bedding.

C. If a double bed or larger is used only two (2) children may nap or sleep on it at one (1) time.

D. All bedding shall be clean with sheets laundered at least once a week. Once bedding has been used by a child, it shall not be used by another child until it has been laundered.

E. Sleeping equipment shall be arranged to provide at least a two-foot (2') aisle on one (1) long side of the equipment.

2. Infants [*and toddlers.*]

A. A crib, portable crib or playpen shall be provided **and used** for each infant. Stack cribs shall not be used.

B. Cribs and playpens shall [*have side rail spokes not more than two and three eighths inches (2 3/8") apart. Cribs or playpens previously approved*]

for licensed homes and which do not meet this requirement shall have bumper pads in place for children under twelve (12) months of age.] **meet the Consumer Product Safety Commission and ASTM International (formerly the American Society for Testing and Materials) safety standards for full size baby cribs as found in 16 CFR Part 1219 and for non-full size baby cribs as found in 16 CFR Part 1220. The 2014 crib safety standards found in 16 CFR Parts 1219 and 1220 are incorporated by reference as part of this rule and are published by and available at the U.S. Government Publishing Office, 732 North Capitol Street NW, Washington, D.C. 20401-0001, 202-512-1800, www.bookstore.gpo.gov/catalog/laws-regulations/code-federal-regulations-cfrs-print.** This rule does not include any later amendments or additions.

C. The crib mattress or playpen pad shall be sized correctly to the crib or playpen, in good condition, waterproof and kept clean and dry[.], **be firm and maintain its shape even when the fitted sheet designated for that model is used, such that there are no gaps between the mattress and the side of the crib or playpen. Only fitted sheets shall be used** [Sheets] and [covers] shall be changed immediately when soiled or wet.

D. Soft materials or objects such as pillows, quilts, comforters, or sheepskins, even if covered by a sheet, shall not be placed under a sleeping infant. If a mattress cover to protect against wetness is used, it shall be tightly fitting and thin.

E. Cribs, portable cribs and playpens shall be free of soft objects, loose bedding or any object that can increase the risk of entrapment, suffocation or strangulation. Examples include bumper pads, pillows, quilts, comforters, sleep positioning devices, sheepskins, blankets, flat sheets, cloth diapers, bibs, pillow-like toys, wedges, infant positioners, special mattresses, special sleep surfaces, and other similar items.

F. Blankets or other soft or loose bedding shall not be hung on the sides of cribs or put under the fitted sheet. Only sleep clothing that is designed to keep an infant warm without the possible hazard of covering the head or face may be used during sleep or nap time.

G. Sitting devices such as car safety seats, strollers, swings, infant carriers, infant slings, and other sitting devices shall not be used for sleep/nap time. Infants who fall asleep anywhere other than a crib, portable crib, or playpen must be placed in the crib or playpen for the remainder of their sleep or nap time.

AUTHORITY: section 210.221[.1(3)], RSMo [Supp. 1993] 2000, and section 210.223, RSMo (HCS for SCS for SB 341, 98th General Assembly, First Regular Session (2015)). This rule previously filed as 13 CSR 40-61.080, 13 CSR 40-61.095 and 19 CSR 40-61.095. Original rule filed March 29, 1991, effective Oct. 31, 1991. Changed to 19 CSR 40-61.095, effective Dec. 9, 1993. Changed to 19 CSR 30-61.095 July 30, 1998. Amended: Filed November 10, 2015.*

**Original authority: 210.221.1(3), RSMo 1949, amended 1955, 1987, 1993.*

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500.00) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500.00) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this amended rule with Sue Porting, Department of Health and Senior Services, Section for Child Care Regulation, PO Box 570, Jefferson City, MO 65102, by faxing 573-526-5345, or via e-mail at Sue.Porting@health.mo.gov . To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*